

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

ERIC HICKERSON,

Appellant

v.

MISSOURI BOARD OF PROBATION AND PAROLE.

Respondent

DOCKET NUMBER WD78086

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: October 20, 2015

Appeal From:

Circuit Court of Cole County, MO
The Honorable Daniel Richard Green, Judge

Appellate Judges:

Division One
Cynthia L. Martin, P.J., Joseph M. Ellis, and James Edward Welsh, JJ.

Attorneys:

Eric Hickerson, Boonville, MO

Appellant Acting Pro Se

Attorneys:

Caroline Coulter, Jefferson City, MO

Counsel for Respondent

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**ERIC HICKERSON, Appellant, v. MISSOURI BOARD
OF PROBATION AND PAROLE, Respondent.**

WD78086

Cole County

Before Division One Judges: Martin, P.J., Ellis, and Welsh, JJ.

Eric Hickerson filed a petition for declaratory judgment challenging the Missouri Board of Probation and Parole's calculation of his minimum parole eligibility date as July 14, 2015. Hickerson believed that the Board used the wrong starting date and that the correct starting date should have been the date that he was arrested, which would have made his minimum eligibility date in August 2013. Hickerson moved for a judgment on the pleadings, and the Board filed a cross-motion for judgment on the pleadings. The circuit court granted the Board's motion for judgment on the pleadings on the basis that Hickerson's claim was barred by issue preclusion and claim preclusion. Hickerson appeals.

Dismissed.

Division One holds:

All parties agree that the Board calculated Hickerson's minimum parole eligibility date as July 14, 2015, and, thus, presumably on that date, Hickerson became eligible for parole. Because that date has now passed, any ruling as to whether his correct minimum parole eligibility date was in August 2013 or July 2015 would have no practical effect on any existing controversy, and there is no practical relief that can be granted at this point. Thus, the issue is moot. Because the sole issue on appeal is moot, and the public interest exception does not apply, the appeal must be dismissed.

Opinion by James Edward Welsh, Judge

October 20, 2015

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